IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5256 OF 2005

Subhas Vithal Chavan & Ors. .. Petitioners.

vs.

The Charity Commissioner

& Anr. .. Respondents.

Mr. Asif Iqbal I. Patel for petitioners.

Mr. A.S. Gadkari for respondent no.2.

Ms. V.S. Mhaispurkar, AGP. for State.

CORAM : S.U. KAMDAR, J.

DATE : 28th November, 2005.

P.C.:

. By consent of the parties, the following order is passed.

2. The impugned order dated 2.7.2005 is set aside and substituted by the following order.

3. That on the next date of hearing i.e. 12.12.2005 the petitioner will make his witness available for cross-examination and he will not ask for any adjournment of the proceedings. If he does

not make his witness available then the matter will proceed for arguments. If he makes his witness available for the cross-examination then the Charity Commissioner is directed to permit cross-examination subject to the fact that he will pay to the respondent no. 2 the cost of the present proceedings quantified at Rs. 5,000/- on or before 5.12.2005. Petition disposed of accordingly. No order as to costs.